

An Roinn Oideachais agus Scileanna
Sráid Maoilbhríde
Baile Átha Cliath 1



Department of Education and Skills
Marlborough Street
Dublin 1

AN ROINN | DEPARTMENT
OIDEACHAIS | OF EDUCATION
AGUS SCILEANNA | AND SKILLS

Circular Number: 0026/2011

To the Director / President of each Institute of Technology

Following discussions involving the Department, TUI and Institute management under the auspices of the Labour Relations Commission in relation to particular aspects of the Croke Park Agreement, the attached document is now forwarded to all Institutes for immediate implementation of all of its provisions.

Institutes should now take the necessary steps, through the normal timetabling process, to ensure optimum usage of the document's provisions in respect of additional time and increased flexibility in lecturing hours with effect from an early date, and in any event no later than the start of the next academic year.

Institutes should note that the implementation of these measures will be subject to verification in accordance with the performance verification provisions of the Croke Park Agreement.

Philip Crosby
External Staff Relations
8th April 2011



The Labour Relations Commission
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14th January 2011.

Re : Department of Education and Skills / TUI

The Labour Relations Commission has facilitated extensive discussion between the TUI and the Department of Education. A range of matters have been considered in that process and it has not been possible to reach a point of direct agreement between the parties. However, a substantial amount of constructive progress has been made and it is the responsibility of the Commission to detail to the parties the optimum achievable position on those key matters, which if agreed, would produce a mutual understanding of a way forward. The Commission therefore sets out below a set of propositions which it encourages both parties to view constructively with a view to accepting the content and adopting same as the best agreement that can be achieved in all of the circumstances obtaining at this time.

Contract Review

The parties have engaged extensively on the issue of the lecturing requirements of lecturers and assistant lecturers. The purpose of those discussions has been to address the objective set out by the Department of ensuring that the system can cope with throughput requirements against the backdrop of resource constraints. The Commission is clear also that these engagements have taken place against the backdrop of the Department's continuing commitment to the PSA with particular reference to pay and security of employment. The Commission understands that lecturing staff operating in the craft and trades disciplines are generally at or close to maximum annual delivery levels and that therefore, any proposal in this regard will have minimal impact for them. Finally, the Commission is clear that these proposals will not of themselves impact on the Employment Control Framework, i.e. are not a facility to reduce numbers beyond that set out in the ECF.

The Commission is clear that for agreement on this issue to be reached a development of significance in the current arrangements is required and therefore the Commission proposes that:

- the existing maximum annual lecturing hours of 560 for Lecturers and SL1s and 630 for Assistant Lecturers should remain.

Commission members

Breege O'Donoghue, Chair

Brendan McGinty

Fergus Whelan

Gerard Barry

Iarla Duffy

John Hennessy

Peter McLoone

Kieran Mulvey (*Chief Executive*)

- The Commission is clear that the liability in terms of weeks availability per annum for lecturing is 35 weeks but that in general current arrangements, outside of the trade and craft related disciplines, range in practice from 24 to 31 weeks in the main. The Commission is aware of the current scope within the system to 'flex' lecturing hours in one period with corresponding 'flex' in the other direction in another period. The Commission therefore proposes that individuals in lecturing grades may be required at the discretion of management to flex upwards by up to two lecturing hours above the current norms in each of the lecturing weeks in the year and will do so if so required. Arrangements for non-lecturing attendance by lecturing grades in the year are not affected by this proposal.
- There will be no change to rates of pay (including in the hourly rate) for pro-rata and hourly paid part time staff as a result of this proposal. Pro-rata lecturing staff will have a pro-rata liability for lecturing hours flex as a result of this proposal. Management may aggregate this additional time into blocks of up to and including 1 hour. Hourly paid part time staff are not affected. It is not the purpose of this proposal that these additional hours will be used as a mechanism for the reduction of the hours of existing staff. Both parties recognise that hours for part-time staff, separately from this proposal, are affected by issues such as the ECF, System changes, Budgetary requirements or other Government / Department decisions.
- That the parties agree to a review of matters relevant to lecturing in IOTs. The terms of reference for this review, its composition and timescale will be agreed between the parties. The review will inform future developments in lecturing delivery.

Quality Assurance

The Commission notes the commitment of both sides to the concept of quality assurance in Education. The Commission is aware that information already resides in the system of relevance to this mutual objective, i.e. a student feedback facility. At present that feedback is visible only to the lecturer in its 'raw' form. The Commission proposes that this 'raw' information should be available to both the lecturer and designated management representatives who have a specific role in quality assurance, as a quality assurance aid. This information will not be used for disciplinary purposes or as part of any disciplinary process. Both parties agree that the student feedback form be provided online (with all appropriate security) for completion by students. This information is exclusively for the purposes of quality assurance only and may form part of the reference material available to both sides to support existing arrangements around performance management. In making this proposal the Commission urges both parties to be entirely conscious of their responsibility to treat

this material in a professional manner, i.e. utilising all appropriate professional tools to ensure the validity of content. The Commission also makes this proposal on the basis of maximum reasonable steps being taken to ensure the security and continuing integrity of the data and on the understanding that this proposal relates to quality assurance and is not intended as a proposal to establish a mechanism for student complaint.

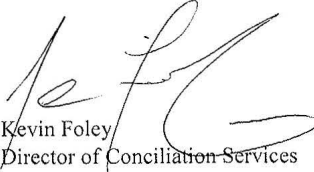
Additional time

The Croke Park Agreement provides for an additional hour per normal working week to be available to facilitate, at the discretion of management, all educational activities in the Institutes. The Commission proposes that this additional hour will only be utilised by Institutes to provide additional structured timetabled periods of availability of lecturers to students. Timetabling will be the responsibility of the Institute having due regard to what is reasonable in terms of the working schedule of the lecturing personnel concerned. This will complement existing arrangements for staff/student interaction.

Redeployment

Redeployment issues for lecturing grades will be dealt with in further discussions between the parties.


Anna Perry
Deputy Director of Conciliation Services


Kevin Foley
Director of Conciliation Services